IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.46923-M of 2006

DATE OF DECISION: OCTOBER 17, 2006

Surender Kumar Dhawan

...PETITIONER

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.G.S.Sandhu, Advocate,
for the petitioner.
Mr.Partap Singh, Sr.DAG, Haryana.
Mr.V.S.Punia, Advocate,
for the complainant.

...

Petitioner Surender Kumar Dhawan apprehending his arrest in a non-bailable offence in case FIR No.278 dated 1.7.2006 registered under Sections 420/406 IPC at Police Station Pehowa, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

This order be read in continuation of the earlier order dated August 10, 2006 passed by this Court.

In this case, no specific date has been mentioned by the complainant when the alleged amount of Rs.two lacs was given to the petitioner. Further it has neither been disclosed to the Court nor shown in the complaint from where the said amount was paid by the complainant. Counsel for the petitioner contends that in this case the petitioner has been falsely implicated because the son of complainant has been working as driver with DSP, Pehowa. Counsel further contends that in terms of the aforesaid interim order, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact.

In view of the above and for the reasons stated in the interim order dated August 10, 2006, the same is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 17, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE